

ENROLLED HOUSE
BILL NO. 1327

By: Hamilton (Jeff) of the
House

and

Cain of the Senate

An Act relating to public health and safety;
requiring the State Department of Health to submit
a State Plan for the Prevention and Treatment of
AIDS to certain persons; making the State
Department of Health certain lead agency; requiring
certain state agencies to prepare the State Plan in
a certain manner; requiring copies of State Plan
and annual report be available to Legislature and
general public; providing for annual review and
modification of the State Plan; providing for
annual reports; providing for the contents of the
State Plan; providing for time to submit the State
Plan and annual reports; providing for
codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-534.1 of Title 63, unless
there is created a duplication in numbering, reads as follows:

A. The State Department of Health shall be the lead agency for
the coordination of programs and services related to the Human
Immunodeficiency Virus (HIV).

B. On or before January 1, 1994, the State Department of Health
shall submit a State Plan for the Prevention and Treatment of
Acquired Immune Deficiency Syndrome (AIDS) to the Governor, the
President Pro Tempore of the Oklahoma State Senate, the Speaker of
the Oklahoma House of Representatives, the chairmen of the
appropriate committees of the Senate and the House of
Representatives, and the chief executive officer and members of the
governing bodies of each agency affected by the State Plan. Copies
of the State Plan for the Prevention and Treatment of AIDS shall be
available to members of the Oklahoma Legislature and the general
public upon request.

C. The State Plan for the Prevention and Treatment of AIDS
shall be prepared jointly by the State Department of Health, the
Department of Human Services, the State Department of Education, and
the Department of Mental Health and Substance Abuse Services in
collaboration with other appropriate public and private agencies and
organizations.

D. The State Plan for the Prevention and Treatment of AIDS
shall be reviewed annually by the entities responsible for the
preparation of the plan and modified as necessary and appropriate.
On or before October 1 of each year the State Department of Health
shall prepare a report of the annual review, including any

modifications to the State Plan and any recommendations for the continued development of programs and services for the prevention and treatment of AIDS. The annual report shall be submitted and made available in the same manner as the State Plan, as provided in subsection B of this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-534.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

The State Plan for the Prevention and Treatment of AIDS shall include, but not be limited to:

1. Coordinated or joint recommendations for funding, legislation and other appropriate action for the prevention and control of the spread of the Human Immunodeficiency Virus and AIDS, the provision of necessary treatment and other services to persons infected with the virus, and the protection of human and civil rights and the health of the citizens of this state;

2. Education and information programs about the Human Immunodeficiency Virus and AIDS which are intended for the general public, health care professionals and other professionals, and specialized education and information efforts, as appropriate, for the effective prevention and control of the spread of the Human Immunodeficiency Virus and AIDS. The programs shall include, but not be limited to, instruction indicating that:

- a. engaging in any promiscuous homosexual, bisexual or heterosexual activity or intravenous chemical substance use, or contact with contaminated blood products is now known to be the primary method of transmission of the Human Immunodeficiency Virus and AIDS,
- b. avoiding the activities specified in subparagraph a of this paragraph is the only known method of preventing the spread of the Human Immunodeficiency Virus and AIDS,
- c. sexual intercourse, with or without condoms, with any person testing positive for Human Immunodeficiency Virus (HIV) antibodies, or any other person infected with HIV, places an individual in a high-risk category for contracting AIDS,
- d. abstinence from sexual activity is the only certain means of preventing the spread or contraction of the Human Immunodeficiency Virus or AIDS through sexual contact, and
- e. the use of artificial means of birth control is not a guaranteed method of preventing the spread of the Human Immunodeficiency Virus or AIDS, and reliance on such a method places a person at risk for exposure to the disease;

3. An appropriate array of Human Immunodeficiency Virus testing and counseling programs and services, and Human Immunodeficiency Virus prevalence surveillance and monitoring activities, including reporting and notification of contacts, as prudent and necessary for the protection of the public health and safety;

4. Testing and education programs and services designed to prevent and control the spread of the Human Immunodeficiency Virus and AIDS among intravenous chemical substance users; and

5. Case management and other programs that ensure access to needed health care and that reduce the cost of treatment for persons with AIDS.

SECTION 3. This act shall become effective September 1, 1993.

Passed the House of Representatives the 6th day of May, 1993.

Speaker of the House of
Representatives

Passed the Senate the 19th day of May, 1993.

President of the Senate